

Brian E. Winn
Colchester, VT 05446

November 30, 2018

Judith Whitney, Clerk
Vermont Public Utility Commission
112 State Street, Montpelier, VT 05620

RE: Comment #2, Case number 18-0974 and 18-1633. Public Comments of Brian Winn, Former Director of Finance & Economics, Vermont Department of Public Service.

Dear Ms. Whitney,

I would like to submit the following public comments.

I have read the responses of GMP and the Department of Public Service to the comments I filed on 11/27/2018 regarding the Anonymous Letter posted by the PUC. I note with interest that both the Department and GMP focused their official responses to the PUC on one or two allegations relating to the Solar/Storage projects. While the response from GMP is not surprising, I am disappointed with the Department's response, which fails to address the half dozen allegations related to its ability to present an effective case. Commissioner Tierney has made extensive comments to the press, but my understanding is they are not part of the record. I hope that the PUC will require a more comprehensive, and on the record, response from the Department.

In my comments I indicated that I had access to evidence related to several of the allegations. I have been advised by the PUC General Counsel (who has been very helpful) that the only way to submit this evidence to the PUC is by public comment in ePUC. He also advised me that the regulations prohibit the submission of confidential or privileged information in this manner. None of the documents I have access to are labeled Confidential or Attorney Client Privileged, but so far, the Department has asserted some sort of privilege for everything I have sent them to review.

So, I find myself in a procedural trap that I will likely need legal counsel to help me navigate. I am not sure I want to spend that kind of money. This is frustrating because I have access to information that would support my comments on allegations number 6, 11 and 12. I do not have access to the paper files maintained in my office or to the state email system.

While I don't believe this process is optimal, I will attempt to provide context around the evidence I feel is safe to submit. I am determined to help the PUC and the rate payers in any way I can. However, I have other demands on my time, so it may take me a week or so to determine the right course of action.

Sincerely,

Brian E. Winn